

# CUSTOMS MANAGEMENT (AMENDMENT) REGULATIONS, 2020

## Arrangement of Regulations

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**CUSTOMS MANAGEMENT ACT, 2011**  
**(No. 30 of 2011)**

**CUSTOMS MANAGEMENT (AMENDMENT)**  
**REGULATIONS, 2020**

The Minister, in exercise of the powers conferred by section 354 of the Customs Management Act, 2011, makes the following regulations —

**1. Citation and commencement.**

- (1) These Regulations, which amend the Customs Management Regulations,<sup>1</sup> may be cited as the Customs Management (Amendment) Regulations, 2020.
- (2) These Regulations shall come into force on the 1<sup>st</sup> day of July, 2020.

**2. Revocation and replacement of regulation 73 of the principal Regulations.**

Regulation 73 of the principal Regulations is revoked and replaced by the following —

**“73. Clearance of pleasure vessels on departure.**

- (1) Pursuant to section 93 of Act, a vessel entered on Form C2A and issued a temporary cruising permit on Form C39, shall not depart from The Bahamas without application being made by the master of the vessel on Form C28A to the Customs authority for a certificate of clearance on Form C36A.
- (2) A person who contravenes paragraph (1), commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars.”.

**3. Insertion of new regulation 89A into the principal Regulations.**

The principal Regulations are amended by the insertion, immediately after regulation 89, of the following —

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<sup>1</sup>*S.I. No.62 of 2013*

**“89A. Electronic submission and processing of temporary cruising permit.**

- (1) The Minister may enter into an agreement with a vendor to administer the electronic —
  - (a) submission and processing of an application made in accordance with regulations 90 and 93; and
  - (b) issuance of a temporary cruising permit or extension thereof in accordance with these Regulations.
- (2) An application submitted in accordance with paragraph (1) shall be deemed to be an application made to the Customs authority or the Comptroller.
- (3) The vendor appointed in paragraph (1) shall —
  - (a) review and approve eligible applications submitted in accordance with paragraph (1), and issue a temporary cruising permit, an extension thereof or a licence;
  - (b) charge, collect and retain a processing fee, as agreed in consultation with the Minister, in respect of every application made and temporary cruising permit, extension thereof or licence issued in accordance with these Regulations;
  - (c) charge, collect and transfer to the Customs authority, in respect of every application made and permit or licence issued in accordance with these Regulations, the fee payable in accordance with regulations 91 and 93; and
  - (d) provide the Customs authority access to every application made in accordance with paragraph (1) and information relevant to such applications, and the Customs authority may revoke any application approved by the vendor at any time.”.

**4. Revocation and replacement of regulation 90 of the principal Regulations.**

Regulation 90 of the principal Regulations is revoked and replaced by the following —

**“90. Temporary importation of pleasure vessels.**

Pleasure vessels arriving under their own power for temporary importation shall —

- (a) be imported by, and for the use of, a person not ordinarily resident in The Bahamas or a person who has entered The Bahamas to be employed for a period not exceeding six months;
- (b) not be used for commercial purposes or for hire;
- (c) apply for a temporary cruising permit by reporting their arrival and other particulars on Form No. C2A as prescribed by regulation 9.”.

**5. Amendment of regulation 91 of the principal Regulations.**

Regulation 91 of the principal Regulations is amended —

- (a) in paragraph (1), by the deletion of the words “the inward report” and the substitution therefor of the words, “the application made in accordance with regulation 90(c)”; and
- (b) in paragraph (3)(b), by the deletion of the words “(a)” and the substitution therefor of the words, “(c)”.

**6. Amendment of regulation 108B of the principal Regulations.**

Regulation 108B of the principal Regulations is amended —

- (a) in paragraph (1)(b), by the deletion of the words “or vessel” immediately after the words, “the aircraft”;
- (b) by the insertion, immediately after paragraph (6), of the following —
  - “(7) For the purposes of this regulation, all courier goods arriving by sea shall have the same privileges as courier goods arriving by air, where the voyage does not exceed three hours and the goods are consigned to a licence courier.”.

**7. Amendment to the First Schedule to the principal Regulations.**

The First Schedule to the principal Regulations is amended by the insertion of the following forms, “Form C28A” and “Form C36A”, in the appropriate position —

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**BAHAMAS CUSTOMS DEPARTMENT**  
**FORM NO. C28A:**

ENTRY OUTWARDS OF PLEASURE VESSEL

**Rotation No:** \_\_\_\_\_

**Port of Departure:** \_\_\_\_\_

Vessel Name:		Doc. or Reg.#:	
Tons:		Port of Registry	
Value of Vessel:		Date of Departure:	<b>D</b> _____ <b>M</b> _____ <b>Y</b> _____
Crew/Passengers		Master Name:	
Vessel Length		Port of Entry:	

I, \_\_\_\_\_ master of \_\_\_\_\_ in the city of \_\_\_\_\_ hereby declare that no imported goods are left on board the said vessel other than the goods and stores described below.

**REPORT OF EQUIPMENT AND STORES**

DUTY PAID AND FREE	DUTY NOT PAID	FIREARMS & ROUNDS
		1. s/n
		2. s/n
		3. s/n

**Date:** \_\_\_\_\_ **Signature (Master or Owner)** \_\_\_\_\_

\_\_\_\_\_  
**Comptroller of Customs**



**BAHAMAS CUSTOMS DEPARTMENT**  
**FORM NO. C36A:**  
CERTIFICATE OF CLEARANCE OF PLEASURE VESSEL

Port of Departure: \_\_\_\_\_

This is to certify To Whom It May Concern, that the \_\_\_\_\_  
of \_\_\_\_\_ tons burden, whereof \_\_\_\_\_  
is Master, has been duly cleared for \_\_\_\_\_ with the undermentioned  
Cargo:

**REPORT OF EQUIPMENT AND STORES**

DUTY PAID AND FREE	DUTY NOT PAID	FIREARMS & ROUNDS
		1. s/n
		2. s/n
		3. s/n

Given under my hand at the aforesaid port, this \_\_\_\_\_ Day of \_\_\_\_\_ 20 \_\_\_\_

\_\_\_\_\_  
Comptroller of Customs

”.

**8. Amendment to the Second Schedule to the principal Regulations.**

The Second Schedule to the principal Regulations is amended —

- (a) by the deletion of TARIFF HEADINGS “7321.1100”; “7321.1290”; “7321.1910”; “7321.1990”, and all the particulars related thereto and the substitution therefor of the following —

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TARIFF HEADING	DESCRIPTION	LEVY RATE \$	UNIT OF CLASSIFICATION
7321.1110	Household stoves not exceeding 30 inches in width	5.00	No.
7321.1190	Other	5.00	No.
7321.1211	Household stoves not exceeding 30 inches in width	5.00	No.
7321.1219	Other	5.00	No.
7321.1291	Household stoves not exceeding 30 inches in width	5.00	No.
7321.1299	Other	5.00	No.
7321.1911	Household stoves not exceeding 30 inches in width	5.00	No.
7321.1919	Other	5.00	No.
7321.1991	Household stoves not exceeding 30 inches in width	5.00	No.
7321.1999	Other	5.00	No.

”;

- (b) by the deletion of the TARIFF HEADING “8418.1000”, and all the particulars related thereto and the substitution therefor of the following —

“

TARIFF HEADING	DESCRIPTION	LEVY RATE \$	UNIT OF CLASSIFICATION
8418.1010	Household refrigerators of 30 Cubic feet or less	15.00	No.
8418.1090	Other	15.00	No.

”;

- (c) by the deletion of the TARIFF HEADING “8516.6000”, and all the particulars related thereto and the substitution therefor of the following —

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TARIFF HEADING	DESCRIPTION	LEVY RATE \$	UNIT OF CLASSIFI- CATION
8516.6010	Household stoves not exceeding 30 inches in width	5.00	No.
8516.6090	Other	5.00	No.

”;

- (d) by the insertion, immediately after the TARIFF HEADING “8701.2000”, the following —

“

TARIFF HEADING	DESCRIPTION	LEVY RATE \$	UNIT OF CLASSIFI- CATION
8701.2010	Road tractors for semi-trailers not exceeding 10 years	300.00	No.
8701.2020	Road tractors for semi-trailers exceeding 10 years	20% of Landed Cost	No.

”;

- (e) by the deletion of TARIFF HEADINGS “8711.1000”; “8711.2000”; “8711.3000”; “8711.4000”; “8711.5000”; “8711.6000”, and all the particulars related thereto and the substitution therefor of the following —

“

TARIFF HEADING	DESCRIPTION	LEVY RATE \$	UNIT OF CLASSIFI- CATION
8711.1010	Not exceeding 10 years	50.00	No.
8711.1020	Exceeding 10 years	20% of Landed Cost	No.
8711.2010	Not exceeding 125 cc, not exceeding 10 years	50.00	No.
8711.2020	Not exceeding 125 cc, exceeding 10 years	20% of Landed Cost	No.
8711.2091	Not exceeding 10 years	50.00	No.
8711.2099	Exceeding 10 years	20% of Landed Cost	No.
8711.3010	Not exceeding 10 years	50.00	No.
8711.3020	Exceeding 10 years	20% of Landed Cost	No.



